

103D CONGRESS
1ST SESSION

S. 1768

To amend the Alaska Native Claims Settlement Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Alaska Native Claims Settlement Act, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. KAGEET POINT LAND SELECTION.**

4 The lands contained in the western half of Township
5 21 South, Range 24 East, Copper River Meridian, com-
6 monly known as “Kageet Point”, shall be considered and
7 treated as acreage allotted to the Chugach Alaska Cor-
8 poration for the purpose of making selections under sec-
9 tion 12(c) of the Alaska Native Claims Settlement Act (43
10 U.S.C. 1611(c)).

1 **SEC. 2. RATIFICATION OF CERTAIN CASWELL AND MON-**
2 **TANA CREEK NATIVE ASSOCIATIONS CON-**
3 **VEYANCES.**

4 The conveyance of approximately 11,520 acres to
5 Montana Creek Native Association, Inc., and the convey-
6 ance of approximately 11,520 acres to Caswell Native As-
7 sociation, Inc., shall be considered and treated as convey-
8 ances under section 14(h)(2) of the Alaska Native Claims
9 Settlement Act (43 U.S.C. 1613(h)(2)). The group cor-
10 porations for Montana Creek and Caswell are hereby de-
11 clared to have received their full entitlement and shall not
12 be entitled to the receipt of any additional lands under
13 the Alaska Native Claims Settlement Act.

14 **SEC. 3. MINING CLAIMS AFTER LANDS PATENTED TO RE-**
15 **GIONAL CORPORATION.**

16 Section 22(c) of Alaska Native Claims Settlement Act
17 (43 U.S.C. 1621(c)) is amended by adding at the end the
18 following new paragraph:

19 “(3) After the fee or subsurface lands subject to a
20 valid mining claim have been patented to a Regional Cor-
21 poration—

22 “(A) any person holding such valid mining
23 claim shall continue to meet all requirements of the
24 general mining laws and section 314 of the Federal
25 Land Policy and Management Act of 1976 (43
26 U.S.C. 1744);

1 “(B) the United States shall continue to admin-
 2 ister the mining claim, unless and until the Sec-
 3 retary, acting through the Bureau of Land Manage-
 4 ment, waives administration in favor of the Regional
 5 Corporation; and

6 “(C)(i) except as provided in clause (ii), all rev-
 7 enues from the mining claim otherwise due the
 8 United States shall be remitted to the Regional Cor-
 9 poration for distribution pursuant to section 7(i) of
 10 this Act; and

11 “(ii) if the Regional Corporation patent does
 12 not cover all land covered by the mining claim, the
 13 Regional Corporation shall be entitled only to the
 14 proportion of revenues reasonably allocated to the
 15 portion of the mining claim so covered.”.

16 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS TO IMPLE-**
 17 **MENT CONVEYANCES.**

18 Section 14(c) of Alaska Native Claims Settlement Act
 19 (43 U.S.C. 1613(c)) is amended—

20 (1) by redesignating paragraphs (1) through
 21 (5) as subparagraphs (A) through (E), respectively;

22 (2) by striking “Each patent” and inserting
 23 “(1) Each patent”; and

24 (3) by adding at the end the following new
 25 paragraph:

1 “(2) There is authorized to be appropriated
 2 such sums as are necessary to provide technical as-
 3 sistance to Village Corporations in carrying out this
 4 subsection. The Secretary may make amounts avail-
 5 able pursuant to this subsection through contracts
 6 with nonprofit organizations, whose function is to
 7 provide technical assistance in planning, developing,
 8 and administering assistance to Village Corporations
 9 in fulfilling the requirements of this subsection.”.

10 **SEC. 5. OPEN SEASON FOR CERTAIN NATIVE ALASKA VET-**
 11 **ERANS FOR ALLOTMENTS.**

12 (a) IN GENERAL.—During the 1-year period begin-
 13 ning on the date of enactment of this Act, an individual
 14 described in subsection (b) is eligible for an allotment of
 15 not to exceed 160 acres under the Act of May 17, 1906
 16 (chapter 2469; 34 Stat. 197), as such Act was in effect
 17 before December 18, 1971.

18 (b) ELIGIBLE INDIVIDUALS.—

19 (1) IN GENERAL.—An individual is eligible
 20 under subsection (a) if the individual would have
 21 been eligible under the Act of May 17, 1906 (chap-
 22 ter 2469; 34 Stat. 197), as such Act was in effect
 23 before December 18, 1971, and the individual is a
 24 veteran of the Korean conflict or the Vietnam era.

1 (2) DECEASED PERSONS.—In the case of an in-
2 dividual described in paragraph (1) who is deceased,
3 the heirs of the individual shall be treated as the in-
4 dividual described in paragraph (1).

5 (c) CONVEYANCE DEADLINE.—The Secretary of the
6 Interior shall complete land conveyances pursuant to this
7 section not later than 2 years after the date of enactment
8 of this Act.

9 (d) IMPLEMENTATION.—The Secretary shall pre-
10 scribe such rules as are necessary to carry out this section.

11 (e) DEFINITIONS.—For the purposes of this section,
12 the terms “veteran”, “Korean conflict”, and “Vietnam
13 era” have the meaning given such terms in paragraphs
14 (2), (9), and (29), respectively, of section 101 of title 38,
15 United States Code.

16 **SEC. 6. TRANSFER OF WRANGELL INSTITUTE.**

17 (a) PROPERTY RETURN.—Cook Inlet Region, Incor-
18 porated, is authorized to transfer to the United States the
19 10-acre site of the Wrangell Institute in Wrangell, Alaska,
20 and the structures contained thereon. The Administrator
21 of General Services shall accept title to such property and
22 the structures contained thereon, on behalf of the United
23 States.

24 (b) RESTORATION OF BIDDING CREDITS.—

1 (1) IN GENERAL.—Subject to paragraphs (2),
2 (3), and (4), in exchange for the land and structures
3 at the Wrangell Institute transferred pursuant to
4 subsection (a), the Administrator of General Serv-
5 ices shall restore bidding credits to the Cook Inlet
6 Region, Incorporated property account in the Treas-
7 ury established pursuant to section 12(b) of Public
8 Law 94-204 (43 U.S.C. 1611 note), in an amount
9 equal to the sum of—

10 (A) \$382,305, plus interest; and

11 (B) the cost of legal and other expenses in-
12 curred as a result of the return of the property.

13 (2) CALCULATION OF INTEREST.—The interest
14 credited to the Cook Inlet Region, Incorporated
15 property account pursuant to paragraph (1) shall be
16 compounded semiannually at the same interest rate
17 that was in effect for 5-year United States Treasury
18 bonds on November 2, 1987. The interest shall be
19 calculated for the period beginning on November 2,
20 1987, and ending on the date that the land is con-
21 veyed to the United States.

22 (3) USE OF RESTORED CREDITS.—Bidding
23 credits restored to the Cook Inlet Region, Incor-
24 porated property account pursuant to paragraph (1)

1 shall be available solely for the acquisition of Gen-
 2 eral Services Administration properties.

3 (4) HOLD HARMLESS.—The United States shall
 4 defend and hold harmless Cook Inlet Region, Incor-
 5 porated, and its subsidiaries, in any claim arising
 6 from Federal or Cook Inlet Region, Incorporated,
 7 ownership of the land and structures, prior to the
 8 return of such land and structures to the United
 9 States.

10 **SEC. 7. LAPSED MINING CLAIMS.**

11 Section 22(c)(2)(A) of the Alaska Native Claims Set-
 12 tlement Act (43 U.S.C. 1621(c)) is amended—

13 (1) in clause (i)—

14 (A) by striking “outside the boundaries of
 15 a conservation system unit (as such term is de-
 16 fined in the Alaska National Interest Lands
 17 Conservation Act) and”; and

18 (B) by striking “The Secretary shall
 19 promptly determine the validity of such claims
 20 or locations within conservation system units.”;
 21 and

22 (2) in clause (ii), by striking “outside a con-
 23 servation system unit” each place such phrase ap-
 24 pears.